

REMARKS

Claims 170-188 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3 and 8-9 of U.S. Patent No. 6,724,452. Applicants respectfully traverse as follows.

First, with respect to claim 3 in particular of the '452 patent, the Examiner has not established a *prima facie* case of double patenting. Claim 3 requires, in addition to the first and second domain regulating means having a zigzag shape, both the pixel electrodes and the bus lines have at least a partial zigzag shape. The Examiner has not even asserted how any of the claims of the present invention can be interpreted to claim a zigzag shape to the pixel electrodes and the bus lines.

With respect to claims 8 and 9 of the '452 patent, the rejection is at the very least overly broad. Claims 8 and 9 of the '452 patent both require a zigzag shape to the first and second domain regulating means, and also an offset between the two domain regulating means that is smaller than the recited pitch. This combination of zigzag shapes and pitch offsets are not recited in any of the independent claims of the present invention. The present invention only features elements related to pitch offset and zigzag shapes in a few of the dependent claims.

Nevertheless, in the interests of expediting prosecution, Applicants have filed a Terminal Disclaimer together with this paper. Because the double patenting rejection remains the only rejection of record, Applicants submit that the rejection has been rendered moot by the Terminal Disclaimer, and that the case should be in condition for immediate allowance.

Lastly, Applicants wish to emphasize that the recited configurations of the present invention cover a much broader scope of protection than the mere “zigzag shape” asserted by the Examiner in the double patenting rejection. Therefore, Applicants have added new dependent claims 189-192 to clarify that the first and second line portions, and the third and fourth line portions, may or may not be physically connected, respectively. Although Applicants submit that these features of the present invention should have already been clear to one skilled in the art when read in light of the disclosure and drawings of the Specification, Applicants submit that entry of these dependent claims is necessary at this time to avoid an overly narrow interpretation of the claims of the present invention based on the Examiner’s comments in the outstanding Office Action.

Additionally, Applicants submit that new claims 189-192 all depend from a claim that should now be in condition for immediate allowance, and therefore these claims raise no new issues requiring further search or consideration by the Examiner. Applicants submit that new claims 189-192 are therefore also appropriate for entry after final rejection.

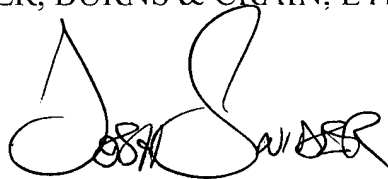
For all of the foregoing reasons, Applicants submit that this Application, including claims 170-192, is in condition for allowance, which is respectfully requested.

The Examiner is invited to again contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

A handwritten signature in black ink, appearing to read "Josh C. Snider", written over a horizontal line.

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